UNITED STATES PATENT AND TRADEMARK OFFICE

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09/516,699	03/01/2000	Hiroshi Koike	Hitachi-0006	3585

21302 7590 04/03/2006	EXAMINER
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2178	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 July 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-40_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-40_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

     a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to communications: Request for continued examination

filed 7/26/2004 and amended drawings filed 10/18/2004.

2.   Claims 1-40 are pending in the case. Claims 1, 12, 23, and 32 are independent

claims. Claims 1, 10-12, 23, 24, 32, and 33 have been amended.

Oath/Declaration

The Oath/Declaration does not identify the citizenship of each inventor. The application

is missing the citizenship of the fifth inventor.

Claim Rejections - 35 USC § 103

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

4.   Claims 1-4, 6-8, 10, 12-15, 17-19, 21, 23-28, 31-37, and 40 remain rejected

under 35 U.S.C. 103(a) as being unpatentable over Baxter et al. (US Patent Number

6,356,903, filed on December 30, 1998) in view of Danneels (US Patent Number

6,038,598, filed on February 23, 1998).

Regarding independent claim 1, Baxter et al. discloses a method of using a

template to generate and update web pages based on specified trigger events (call with

argument) that occur before a client requests a page (column 7, lines 16-21, and

column 9, lines 28-33 of Baxter et al.). The web page is then stored as two parts, an

outline and a template (including trigger events). These parts are then combined when

a client requests the page (column 1, 46-50 of Baxter et al.). Baxter et al. does not

disclose storing the page as one part in a table or storing an additional page based on

an update trigger call.

However, Danneels discloses a method in which multiple completed dynamic

pages are stored in a database (table) that are mapped to a single URL (filename),

while the pages are mapped to a single URL, they are actually addressed at separate

unique URLs. The condition depicting their generation and what would cause them to

be accessed is contained within the database and associated with each version of the

page in the URL (column 1, line 14-column 3, line 35 of Danneels). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to have

combined the method of Baxter et al. for generating pages with the method of Danneels

for storing and organizing the use of pages because it would have allowed for pages to

be preloaded that satisfy different conditions that are transparently mapped to a single

URL (i.e. different times of day).

Regarding dependent claim 2, Baxter et al. discloses a method of generating a

web page using a template in which executable content (i.e. CGI script) is handled via

execution and a result is returned upon completion of execution in the form of HTML

code (character string) (column 5, line 37-column 6, line 11 of Baxter et al.).

Regarding dependent claims 3 and 4, Baxter et al. discloses a method of

handling the executable code within a dynamically generated web page using triggers

and an application services procedure (column 5, lines 64-67-column 6, lines 1-2 of

Baxter et al.). Immediate executable code will be run when a page is generated. The

use of triggers would cause delayed executable code to be converted and executed upon the occurrence of a trigger event.

Regarding dependent claim 6, Baxter et al. discloses a method of using triggers to cause a page update that may be defined as driven by a date, time, change in data, or other events (column 15, lines 10-25 of Baxter et al.).

Regarding dependent claim 7, Baxter et al. does not disclose the use of an "update flag" in response to data update events. However, it would have been obvious to one of ordinary skill in the art that the use of a flag is a programming method that adds nothing to functionality of the triggers already disclosed by Baxter et al. One of ordinary skill in the art would have used an update flag in the method disclosed by Baxter et al. It would have been obvious to one skilled in the art because the use of flags is just one of many ways to operate triggers.

Regarding dependent claim 8, Baxter et al. disclose a method in which the web page will continually update based on the set triggers regardless of when the page is requested by a client (column 12, lines 23-27 of Baxter et al.).

Regarding dependent claim 10, Baxter et al. discloses a method in which the pages are generated, updated, and stored on a server (column 5, lines 1-3 of Baxter et al.).

Regarding independent claim 12 and dependent claims 13-15, 17-19, and 21, these claims contain substantially similar subject matter as claims 1-4, 6-8, and 10. In addition to this, Baxter et al. teaches a method of page generation to be applied in

the embodiment of a system (column 4, lines 10-12 of Baxter et al.). Thus, the claims
are rejected along the same rationale as claims 1-4, 6-8, and 10.

Regarding independent claim 23, Baxter et al. discloses a method of using a
template to generate and update web pages based on specified trigger events (call with
argument) that occur before a client requests a page (column 7, lines 16-21, and
column 9, lines 28-33 of Baxter et al.). The web page is then stored as two parts, an
outline and a template (including trigger events). These parts are then combined when
a client requests the page (column 1, 46-50 of Baxter et al.). Baxter et al. does not
disclose storing the page as one part in a table or storing an additional page based on
an update trigger call.

However, Danneels discloses a method in which multiple completed dynamic
pages are stored in a database (table) that are mapped to a single URL (filename),
while the pages are mapped to a single URL, they are actually addressed at separate
unique URLs. It is determined whether a page is a part of a set (an existing URL) or a
new page (new URL) The condition depicting their generation and what would cause
them to be accessed is contained within the database and associated with each version
of the page in the URL (column 1, line 14-column 3, line 35 of Danneels). It would have
been obvious to one of ordinary skill in the art at the time the invention was made to
have combined the method of Baxter et al. for generating pages with the method of
Danneels for storing and organizing the use of pages because it would have allowed for
pages to be preloaded that satisfy different conditions that are transparently mapped to
a single URL (i.e. different times of day).

Regarding dependent claim 25, Baxter et al. discloses a method of using a

template to generate and update web pages based on specified trigger events, which

determine if there is need for an update before a client requests a page (column 7, lines

16-21, and column 9, lines 28-33 of Baxter et al.).

Regarding dependent claims 26 and 27, Baxter et al. discloses a method of

handling the executable code within a dynamically generated web page using triggers

and an application services procedure (column 5, lines 64-67-column 6, lines 1-2 of

Baxter et al.). Immediate executable code will be run when a page is generated. The

use of triggers would cause delayed executable code to be converted and executed

upon the occurrence of a trigger event.

Regarding dependent claim 28, Baxter et al. discloses a method of using

triggers to cause a page update that may be defined as driven by a date, time, change

in data, or other events (column 15, lines 10-25 of Baxter et al.).

Regarding dependent claim 31, Baxter et al. discloses a method in which the

pages are generated, updated, and stored on a server (column 5, lines 1-3 of Baxter et

al.).

Regarding independent claim 32 and dependent claims 33-37 and 40, the

claims incorporate substantially similar subject matter as claims 23-28 and 31. Thus,

the claims are rejected along the same rationale as claims 23-28 and 31.

5.   Claims 5 and 16 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Baxter et al. (US Patent Number 6,356,903, filed on December 30, 1998) in view of

Danneels (US Patent Number 6,038,598, filed on February 23, 1998) as applied to

claim 4 above, and further in view of Slade (US Patent Number 6,269,275, filed on

March 31, 1998).

Regarding dependent claim 5, Baxter et al. does not disclose a method of

incorporating user information into the generated page. However, Slade discloses a

method in which customized presentations are updated periodically (column 3, lines 6-

10 of Slade). During the operation of this method user profile information is gathered by

a computer for use in the customization in the generation of presentations (column 4,

lines 41-45 of Slade).

One of ordinary skill in the art at the time the invention was made would have

used the method of Slade to incorporate user information in the customization in the

method of Baxter. It would have been obvious to one of ordinary skill in the art to do

this because it would have allowed for further personalization of the dynamically

generated pages.

Regarding dependent claim 16, this claim contains substantially similar subject

matter as claim 5. In addition to this, Baxter et al. teaches a method of page generation

to be applied in the embodiment of a system (column 4, lines 10-12 of Baxter et al.).

Thus, the claim is rejected along the same rationale as claim 5.

6.   Claims 9, 20, 29, and 38 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Baxter et al. (US Patent Number 6,356,903, filed on December 30,

1998) in view of Danneels (US Patent Number 6,038,598, filed on February 23, 1998)

as applied to claim 1 above, and further in view of the Microsoft Press Computer

Dictionary (published by Microsoft Press in 1997).

Regarding dependent claim 9, Baxter et al. does not disclose a method of

storing the generated web page on a proxy server. However, the Microsoft Press

Computer Dictionary contains this definition of a proxy server: *A proxy server can*

improve performance by supplying frequently requested data, such as a popular web

page... (page 387 of Microsoft Press Computer Dictionary).

One of ordinary skill in the art at the time the invention was made would have

used a proxy server to store the web page generated in the method of Baxter et al. It

would have been obvious to one of ordinary skill in the art because it was common

practice in the art to use proxy servers to provide access to web pages.

Regarding dependent claim 20, this claim contains substantially similar subject

matter as claim 9. In addition to this, Baxter et al. teaches a method of page generation

to be applied in the embodiment of a system (column 4, lines 10-12 of Baxter et al.).

Thus, the claim is rejected along the same rationale as claim 9.

Regarding dependent claim 29, Baxter et al. does not disclose a method of

storing the generated web page on a proxy server. However, the Microsoft Press

Computer Dictionary contains this definition of a proxy server: *A proxy server can*

improve performance by supplying frequently requested data, such as a popular web

page... (page 387 of Microsoft Press Computer Dictionary).

One of ordinary skill in the art at the time the invention was made would have

used a proxy server to store the web page generated in the method of Baxter et al. It

would have been obvious to one of ordinary skill in the art because it was common practice in the art to use proxy servers to provide access to web pages.

Regarding dependent claim 38, the claim incorporates substantially similar subject matter as claim 29. Thus, the claim is rejected along the same rationale as claim 29.

7.   Claims 11, 22, 30, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baxter et al. (US Patent Number 6,356,903, filed on December 30, 1998) as applied to claim 1 above, and further in view of Nguyen (US Patent Application Publication Number 2002/0147788, filed on September 13, 1996).

Regarding dependent claim 11, Baxter et al. does not disclose the use of his method on a client site. However, Nguyen discloses a method of preloading web pages in which the client site makes requests to a server based on a page it already has loaded (page 2, paragraph 30, lines 7-12 of Nguyen).

One of ordinary skill in the art at the time the invention was made would have operated the method of Baxter et al. on the client site as taught by Nguyen. It would have been obvious to one of ordinary skill in the art because it would have allowed the method to be operated in a larger variety of locations.

Regarding dependent claim 22, this claim contains substantially similar subject matter as claim 11. In addition to this, Baxter et al. teaches a method of page generation to be applied in the embodiment of a system (column 4, lines 10-12 of Baxter et al.). Thus, the claim is rejected along the same rationale as claim 11.

Regarding dependent claim 30, Baxter et al. does not disclose the use of his

method on a client site. However, Nguyen discloses a method of preloading web pages

in which the client site makes requests to a server based on a page it already has

loaded (page 2, paragraph 30, lines 7-12 of Nguyen).

One of ordinary skill in the art at the time the invention was made would have

operated the method of Baxter et al. on the client site as taught by Nguyen. It would

have been obvious to one of ordinary skill in the art because it would have allowed the

method to be operated in a larger variety of locations.

Regarding dependent claim 39, the claim incorporates substantially similar

subject matter as claim 30. Thus, the claim is rejected along the same rationale as

claim 30.

Response to Arguments

8.   Applicant's arguments filed 7/26/2004 have been fully considered but they are

not persuasive.

Regarding arguments on pages 14-19, regarding the amended limitations of the

independent claims dealing with unique filenames/URLs, the examiner contends that

the rejection as presented in this action teaches the limitations of the claims. Applicant

argues that the Danneels reference does not disclose this reference because the web

page sets of Danneels are all mapped to a single URL. While this is correct, it does not

teach away from the claims. Mapping is not the same as storing, the web page sets of

Danneels are all stored as unique URLs, however in order to make the invention of

Danneels functionally transparent to the user, which is believed to be an advantage

rather than a disadvantage. The multiple unique URLs are mapped to a single URL so that the user may access the correct dynamic page by simply going to the single mapped URL which then provides access to whichever unique URL is correct given the current situation and the dynamic web page arguments and page generation calls(column 1, line 14-column 3, line 35 of Danneels). The unique URLs contain the arguments within the URL itself, for instance "d1" and "d2" contained in the examples shown at the bottom of Column 2, in Danneels show that the web page sets at these URLs were designed based on the arguments/constraints referenced by "d1" and "d2", thus are separate pages that may be presented to the user based on the current conditions.

Regarding arguments on pages 15-16, regarding how web page data is stored as taught by Baxter, the examiner contends that the rejection of the limitations dealing with this idea remain proper. Applicant argues that the web page data in Baxter is stored as separate components. The examiner agrees with the applicant on this point, however that does not change the fact that in Baxter the page is generated and stored to be presented to the user upon request, regardless of how the page is physically stored it still exists as a previously generated web page (column 7, lines 16-21, and column 9, lines 28-33 of Baxter et al.), at least as currently defined by the applicant's claimed invention. In addition to this, it is important to note that web pages in general are stored as a set of components, for instance in the applicants figures (Figures 15 and 16) the result web page shown contains an image, but when the HTML code is viewed for such a web page the web page will merely contain a link to said image which is stored as a

separate component. There is not evidence in the applicant's specification to the

contrary, at which point it would lead the examiner to believe that a finished web page is

stored as a set of components.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joshua D. Campbell whose telephone number is (571)

272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

STEPHEN HONG
~ERVISORY PATENT EXAMINER

JDC
March 21, 2006